

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
**Pro Se Non-Prisoner Complaint Form**

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[Enter the full name of the plaintiff in this action]

Benjamin Lewis Anderson

) Civil Action No.

) (to be assigned by Clerk)

v.

[Enter the full name of each defendant in this  
action. If possible, please list only one defendant  
per line.]

Davita Upstate Dialysis Center

If allowed by statute, do you wish to have a trial by jury? Yes ✓ No       

[If any answer requires additional space, please use additional paper and attach hereto.]

**I. PREVIOUS LAWSUITS**

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes X No       

- B. It is a civil lawsuit  
If your answer to A is Yes, describe the lawsuit in the space below. [If more than one lawsuit, describe on another sheet of paper using the same outline.]

1. Parties to this previous lawsuit:

Plaintiff: Benjamin L. Anderson

Defendant(s): Davita Upstate Dialysis Center

2. Court: The Court of Common Pleas of Greenville County

(If federal court, name the district; if state court, name the county)

3. Docket Number: 2014-CP-23-06070 - Greenville County
4. Name(s) of Judge(s) to whom case was assigned: Barber
5. Status of Case: Still Pending  
(For example, was the case dismissed? Settled? Appealed? Still Pending?)
6. Date lawsuit was filed: November 5, 2013
7. Date of disposition (if concluded): Pending

C. Do you have any other lawsuit(s) pending in the federal court in South Carolina?

Yes \_\_\_\_\_ No X

## II. PARTIES

In Item A below, place your name and address in the space provided. [If additional plaintiffs, do the same on another sheet of paper.]

- A. Name of Plaintiff: Benjamin L. Anderson
- Address: 445 W. Rebound Rd. Lancaster, S.C. 29720

In Item B below, place the full name of the defendant, and his/her/its address, in the space provided. Use Item C for additional defendants, if any.

- B. Name of Defendant: Davita Upstate Dialysis Center
- Address: 308 Mills Ave. Greenville, S.C. 29605

C. Additional Defendants (provide the same information for each defendant as listed in Item B above):

The other defendant is outside of the Jurisdiction  
For the District Court of South Carolina, which  
Defendant is Loma Linda University Medical Center  
OF THE Adventist Health System, Loma Linda  
California

## III. STATEMENT OF CLAIM

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved.

Include also the name(s) of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets of paper if necessary.

Racial Harassment of Plaintiff, while undergoing dialysis.  
Plaintiff was treated differently from those similarly  
situated. Plaintiff was subjected to a conspiratorial  
effort to deprive him of his civil rights, because  
several years ago he filed a Title VII discrimination  
suit on a major university medical center. This  
group brought Davita Upstate Dialysis center  
on board to disparage his reputation as well as  
his life. All of the Davita dialysis employees  
which abused me were caucasian. Plaintiff  
had to go to emergency room after these events,  
Davita Upstate Dialysis center wanted me distraught and  
injured.

Peggy Roper, RN white female stated, "Boy that is a  
 a bunch bullsh.T, Time-0830hrs November 14, 2013

Peggy Roper, RN - "That's why that CRAZY boy protested  
 us... that is why I Lied." - November 19, 2013 - 0800hrs

The above statements were made while I was  
 actively receiving dialysis at Davita Upstate.

Michele Owens, dialysis Technician, white female  
 stated while Plaintiff was on dialysis....

"They wouldn't do our whites like that."

Elizabeth Reed, RN, white, did not disparage  
 Plaintiff. Ms Reed informed Kevin Donovan, the  
 Facility Administrator that his Administrative Assistant  
 sexually harassed Plaintiff. Time: 0830hrs Nov. 5, 2013

Timothy Cornett, RN white male stated, "We are willing to  
 back off of you buddy-boy." - November 19, 2013 - 0800hrs

### III. STATEMENT OF CLAIM - *continued.*

- Intentional Interference with the privilege of health care benefit. (Paid by Government)  
Defendants knowingly subjected Plaintiff to personal harassment, intimidation, Abuse and embarrassment

- Blatant offensive sexual harassment  
[Groping Plaintiff's buttocks and gyrating in front of Plaintiff stating... "I got moves"]

The Above done by white administrative Assistant on October 31, 2013 at Davita dialysis. -Time: 0945am

Savannah Gains, RN (registered nurse) white female with Michele Owens, technician, white female walked close to my dialysis unit and said... "We won't poke fun of you anymore now that we know what size penis you have."

The above took place on November 12, 2013 -Time: 0800hrs

Brian Harrick, RN white male, made the following statement in the presence of other dialysis patients as well as peer staff...

"You're not a drug dealer... you have drugs in your body now." If a girl sits in front of you with her legs wide apart she is trying to get money out of you. Time: 0745am -November 5, 2013

**IV. RELIEF.**

*State briefly and exactly what you want this court to do for you.*

Trial by Jury - any other help as Court deems appropriate  
Monetary settlement \$170,000.00

A fair and impartial opportunity to vindicate  
my rights and to bring closure to this long  
standing racial and religious vendetta.

*I declare under penalty of perjury that the foregoing is true and correct.*

Signed this 9<sup>th</sup> day of March, 2015.

Benjamin L. Anderson  
Signature of Plaintiff

1 Benjamin L. Anderson  
 2 445 W. Rebound Road  
 3 Lancaster, S.C. 29120  
 4 (864) 320-2280  
 5 PRO SE Litigant

6 In The United States District Court  
 7 FOR THE DISTRICT COURT OF SOUTH CAROLINA  
 8

9 Benjamin L. Anderson	) CASE NO.
10 Plaintiff	)
11	) CIVIL RIGHTS Violations
12 V.	) 42 U.S.C 1985(2)
13	) CIVIL RIGHTS ACT OF 1966
14 Davita Upstate Dialysis Center	)
15 Defendant	)
16	)
17	)

18 The Plaintiff in the above captioned case alleges  
 19 the Defendant, Davita Upstate Dialysis Center and  
 20 their employees willfully and intentionally violated  
 21 his civil rights. The Plaintiff alleges that the  
 22 facility Administrator, in his individual capacity,  
 23 did nothing to stop the racial harrasment and  
 24 discrimination while Plaintiff was receiving  
 25 life-support dialysis. The Plaintiff alleges that  
 26 the Davita employees made intimidating and  
 27 humiliating statements. The statements caused  
 28 Plaintiff, mental anguish, suffering as well as

1 impairment to his reputation. The Plaintiff  
2 alleges that because he previously  
3 participated as a party and witness in Federal  
4 court proceeding, the Davita Dialysis group  
5 was more than willing to disparage me for  
6 that group in the previous lawsuit.

7 The Plaintiff an African American, alleges that  
8 he was singled out and denied the benefit  
9 and privilege of enjoyment of a government  
10 paid health-benefit, dialysis, the same as  
11 white citizens. The Plaintiff alleges  
12 that the actors did not want him to Sue  
13 and be a party to any previous or current  
14 lawsuit. The Plaintiff alleges that statements  
15 were made by white Davita employees in the  
16 presence of other patients to degrade him and  
17 to induce other staff and patients to poke  
18 fun of him. Comments such as: "That nigger boy  
19 is thinking about going back to our Jew boys to help  
20 him out."

21 The Plaintiff alleges that Davita Upstate Dialysis  
22 Center operated their health care business in the  
23 County of Greenville, South Carolina and as such is  
24 under the jurisdiction of The United States Federal  
25 District Court, for Federal civil rights violations.  
26 The Plaintiff's mental anguish was severe enough  
27 to send him to a local emergency room.

28

## Jurisdiction

Jurisdiction is proper for: 42 USC 1985(2) and the CIVIL RIGHTS ACT OF 1866

The Plaintiff, Benjamin L. Anderson during the relevant time period has always resided in the city of Greenville at 521 Anderson street from 1994 to 2014.

## Summary of claims

- (A.) Racial Harassment
- (B.) Racial Discrimination
- (C.) Retaliatory Harassment
- (D.) Conspiracy To Cause Injury
- (E.) Interference with Government Paid Health-Care - Dialysis
- (F.) Deprivation of Civil Rights: to Support and Discourage lawsuit against previous Adversary and current coconspirator  
i.e. Invasion of Privacy by Loma Linda University Medical Center, Loma Linda California of The Adventist Health System.

March 9, 2015

Benjamin L. Anderson  
Benjamin L. Anderson  
Pro Se Litigant